

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ALI A. HARRISON-EL,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 23-CV-4364</b>
	:	
<b>1 JOHN DOE OFFICER, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of May, 2024, upon consideration of Plaintiff Ali A. Harrison-El's *pro se* Amended Complaint (ECF No. 12), it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to **AMEND** the docket to reflect that Harrison-El is currently housed at SCI Phoenix.
2. The Amended Complaint is **DISMISSED IN PART** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum as follows:
  - a. Harrison-El's claim seeking dismissal of the criminal charges against him is **DISMISSED WITHOUT PREJUDICE** to him proceeding on a petition for a writ of *habeas corpus*.
  - b. Harrison-El's § 1983 conspiracy claim is **DISMISSED WITHOUT PREJUDICE**.
  - c. Harrison-El's excessive force claims, his official capacity claims against Defendants Tanner, Officer Doe 1, and Sergeant Doe 2, his municipal liability claim against Falls Township, any § 1983 claim based on negligence, his state law negligence claim and any claims asserted pursuant to the Sixth or Eighth Amendments are **DISMISSED WITH PREJUDICE**.

3. Any other claims not already dismissed that Harrison-El seeks to pursue under 42 U.S.C. § 1983, including his false arrest and false imprisonment claims, are **STAYED**, pursuant to the abstention doctrine of *Younger v. Harris*, 401 U.S. 37 (1971), until Harrison-El informs the Court that his state court criminal case, *Commonwealth v. Harrison-El*, CP-09-CR-5770-2023 (C.P. Bucks), has been resolved. Following resolution of his criminal case, Harrison-El may file a motion to reassert those claims, at which time he will be permitted to amend his § 1983 conspiracy claim.

4. The Clerk of Court is **DIRECTED** to mark this case as **STAYED**.

**BY THE COURT:**

/s/ John M. Gallagher

**JOHN M. GALLAGHER, J.**